

Save Open Space – Gilroy  
1495 Hillview Court  
Gilroy, CA 95020  
June 28, 2007

Mr. Darryl Boyd  
City of San Jose  
Department of Planning, Building & Code Enforcement  
200 East Santa Clara Street  
San Jose, CA 95113-1905

Re: Coyote Valley Specific Plan DEIR Comments

Dear Mr. Boyd:

Thank you for the opportunity to comment on the Coyote Valley Specific Plan Draft Environmental Impact Report. Although it is a large and complex document, our comments will be limited. Our group includes a former Planning Commissioner and a former Council Member as well as current members of the Habitat Conservation Plan/Natural Communities Conservation Plan committee (HCP/NCCP). We were also members of Gilroy's General Plan Update Committee and Ag Mitigation Task Force.

**4.1.3.4 Mitigation for the Loss of Agricultural Lands**

Save Open Space – Gilroy is concerned that the Coyote Valley Specific Plan Draft Environmental Impact Report (CVSP DEIR) has not required mitigation measures to lessen the environmental impacts of the loss of approximately 2,400 acres agricultural land within the project. The CVSP DEIR went to great lengths to describe possible mitigation measures such as "Creation of New Farmlands" and "Protection of Existing Farmlands" however, in the end, feasible mitigation measures were not incorporated into the DEIR. Only a statement of overriding considerations will be required.

A feasible mitigation measure to lessen the impacts of the loss of farmland would be to require the City of San Jose to develop and implement an Agricultural Mitigation Program similar to the one Santa Clara County Local Agency Formation Commission (LAFCO) has recently adopted. If this type of mitigation were required then possibly 2,400 acres of farmland could be permanently preserved both within the Coyote Valley Greenbelt area as well as other areas within Santa Clara County.

The City of Gilroy's General Plan Update was concluded in 2003 and during the General Plan Draft Environmental Impact Report's comment period a letter was received from the State of California's Department of Conservation. It stated under "Mitigation Measures and Alternatives": "Feasible mitigation measures and alternatives to lessen farmland conversion impacts should be discussed in the DEIR." They listed a number of conservation tools with one being the use of agricultural conservation easements on a 1:1 basis. The City of Gilroy did include a mitigation measure requiring the development of an Agricultural Mitigation Program in the General Plan's Final Environmental Impact Report and the City has implemented the Program.

Save Open Space – Gilroy respectfully request that a mitigation measure requiring the City of San Jose to develop an Agricultural Mitigation Program modeled after Santa Clara County LAFCO's policy be included in the Coyote Valley Specific Plan's Final Environmental Impact Report. This would lessen the farmland conversion impacts, as required by CEQA, before declaring a statement of overriding consideration.

#### **Traffic – Near Term Analysis**

The traffic impact analysis cites LOS C for existing conditions at Tenth and Chestnut St. and at Hwy 152 and Camino Arroyo in Gilroy. They are actually LOS E and F respectively.

#### **Trip Distribution**

The distribution of external trips is estimated to be 70% to the north of the CVSP area and 30% to the south. We seriously question this assumption. Our experience in Gilroy is that jobs in San Jose create demand for more (potentially less expensive) housing here in South County. Also, our experience is that many San Jose workers live beyond Gilroy in Hollister and Los Banos. This will surely cause more than your estimated 1% of CVSP traffic to use Hwy 152 east of Camino Arroyo. Additionally, we refer you to the Trip Distribution figures on p. 148 which states that the remaining 30% of trips south would originate or be bound for Santa Cruz, Monterey or San Benito counties.

#### **2030 Operations with CVSP**

Southbound 101 is projected to operate at LOS F during the PM peak hour under build-out conditions, which will no doubt affect all parallel roads such as Monterey Street, Santa Theresa Blvd. and county roads. This is obviously unacceptable and mitigation measures should be provided in the EIR. Growth in South County and the fact that Hwy 152 provides the major route over Pacheco Pass to Hwy. 5 and the Central Valley should be addressed in the EIR and mitigation measures provided. The project should make a commitment to providing funding towards these regional improvements. The CVSP

should link mitigation to development levels in all affected neighboring jurisdictions to ensure that implementation of new capacity will keep pace with the resulting additional trips. We agree with the City of Gilroy that the DEIR must address all cumulative impacts and identify mitigation measures and funding to minimize them.

### **Housing and Jobs**

Section 7 of the DEIR states that the project will not allow enough new housing to fully serve all of the new jobs created in the CVSP. While this may help San Jose with its jobs-housing balance, it will negatively affect communities south of the project. Both Morgan Hill and Gilroy have residential growth-limiting ordinances, but will be subjected to a great deal of pressure from the advent of the CVSP. The EIR should address these growth-inducing impacts.

### **Air Quality**

South County already has some of the worst air quality in the Bay Area due to the fact that the prevailing winds bring San Jose's pollution to our area. This project will bring even more air pollution our way. The DEIR should require additional mitigation measures and project modifications to decrease the generation of air pollutants.

### **DEIR Technical Aspects**

We concur with the City of Gilroy that this should be a program level EIR, not a project level EIR. It lacks the specificity and analysis legally required for a project level EIR and is woefully inadequate as such.

### **Summary**

This development should be evaluated in the context of San Jose's General Plan when it is next revised. An environmentally superior alternative would be allowing a similar amount of development within the existing Urban Service Area of San Jose. We note that according to Table 4.13-2, Breakdown of Projected Jobs and Housing under Build-out of the Existing General Plan, vacant land capacity under San Jose's existing General Plan could support 37,400 new jobs. It would be much less expensive for San Jose to provide services, make more cost-efficient use of existing infrastructure and provide for increased use of existing public transportation facilities if this capacity were used to provide both jobs and housing.

We appreciate your consideration of these comments on the CVSP DEIR.

Carolyn Tognetti

David Collier

Connie Rogers

*Carolyn Tognetti* *David Collier* *Connie Rogers*